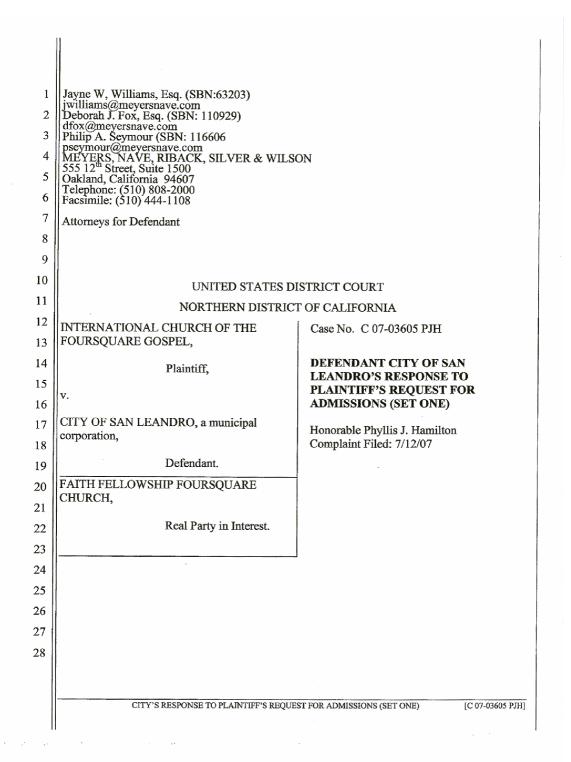
Exhibit 5



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1		
1	PROPOUNDING PARTY:	Plaintiff, INTERNATIONAL CHURCH OF THE
2		FOURSQUARE GOSPEL
3	RESPONDING PARTY:	Defendant, CITY OF SAN LEANDRO
4	SET NUMBER:	One
5	Defendant CITY OF SAN LEANDRO ("the City") responds to the first set of request	
6	for admissions propounded by plaintiff pursuant to Federal Rules of Civil Procedure, Rule 36.	
7	REQUEST FOR ADMISSION NO. 1:	
8	The Religious Land Use and Institutionalized Persons Act of 2000 (42 U.S.C. §	
9	2000cc) is constitutional.	
10	RESPONSE TO REQUEST FOR ADMISSION NO. 1:	
1	Deny.	
2	REQUEST FOR ADMISSION NO. 2:	
13	The document attached hereto identified as EXHIBIT 1 is a true and correct copy.	
4	RESPONSE TO REQUEST FOR ADMISSION NO. 2:	
5	Admit.	
6	REQUEST FOR ADMISSION NO. 3:	
17	The documents attached hereto identified as EXHIBIT 2 are true and correct copies.	
18	RESPONSE TO REQUEST FOR ADMISSION NO. 3:	
19	Admit.	
20	REQUEST FOR ADMISSION NO. 4:	
21	The City of San Leandro	allows assembly uses within a distance equal to or less than a
22	quarter (0.25) of a mile of properties which have filed hazardous materials business plans.	
23	RESPONSE TO REQUEST FOR ADMISSION NO. 4:	
24	Admit. The eight prong of	criteria for including sites within the Assembly Use Overlay
25	Zone does not include a specific distance limitation as to adjacent properties which have a	
26	hazardous materials business plan on file.	
27	<i>'</i> ///	
28	///	
	1 CITY'S RESPONSE TO PLAINTIFF'S REQUEST FOR ADMISSIONS (SET ONE) [C 07-03605 PJH]	